

Application No. 10/849,372
Group Art Unit: 2834

Amendment under 37 C.F.R. §1.111
Attorney Docket No.: 042423

REMARKS

Claim 2 has been cancelled without prejudice. Accordingly, claims 1, 3-4 and 6 remain for consideration in this application, claims 5 and 7-11 having been withdrawn from consideration.

Claims 1, 3 and 4 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Yoshitaka (JP 2001-359250) in view of Santi (USP 4,520,288).

Claim 1 has been amended to include the features of claim 2, indicated as being allowable. Accordingly, claim 1, as amended, now represents claim 2 as being rewritten in independent form. Claims 3 and 4 are dependent from claim 1. Accordingly, it is submitted that claims 1, 3 and 4 are now allowable over the prior art.

Claims 1, 3 and 4 are provisionally rejected under the judicially created doctrine of double patenting over claims 1-6 of copending Application No. 10/902,929.

Accordingly, attached hereto is a Terminal Disclaimer with regard to copending Application No. 10/902,929. Accordingly, the Terminal Disclaimer overcomes the rejection of claims 1, 3 and 4 under the judicially created doctrine of double patenting.

In view of the amendments to the claims, the remarks set forth above, and the Terminal Disclaimer filed concurrently herewith, Applicants submit that the rejections of the claims have been overcome. Accordingly, it is respectfully requested that claims 1-4 and 6 be allowed.

Applicant thanks the Examiner for the indication that claims 2 and 6 contain allowable subject matter.

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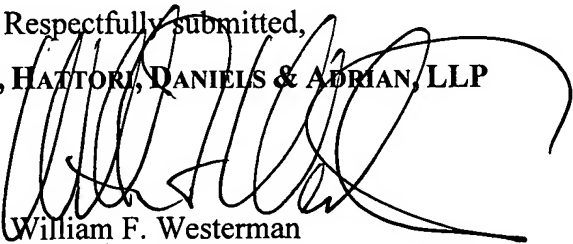
CONCLUSION

In view of the foregoing amendments and accompanying remarks, it is submitted that all pending claims are in condition for allowance. A prompt and favorable reconsideration of the rejection and an indication of allowability of all pending claims are earnestly solicited.

If the Examiner believes that there are issues remaining to be resolved in this application, the Examiner is invited to contact the undersigned attorney at the telephone number indicated below to arrange for an interview to expedite and complete prosecution of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
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